GPN-J.332-ARCHB-8.94-1310500-ALA4 Spl-H.C.A.S.C.D.79e

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE
WRIT PETITION NO. 6530 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.)

Court's or Judge's orders

Mr. A.V. Anturkar for Petitioner.

Mrs. S.S. Bhende, A.G.P. for Respondents.

CORAM : F.I. REBELLO &
S.P. KUKDAY,JJ.
DATED : FEBRUARY 07, 2005

P.C.

. Rule. Heard forthwith.

. The grievance of the Petitioner is that though the Division Bench of this Court by order dated 7.3.1995 had directed the respondent to consider the petitioners representation dated 19.7.1993, and dispose of the same, the manner in which the matter has been disposed of would be contrary to the order of 7.3.1995 and or would be violative of the principles of natural justice and fair play.

. It is submitted that the matter was

heard by the Minister for Urban Development. The final order came to be passed by the Hon'ble Chief Minister. It is his contention that if the matter be disposed of by Chief Minister, the same also ought to have been heard by the Chief Minister.

. We do not propose to go into the merits of the matter. Considering the earlier judgement of this court dated 7.3.1995 all that we can direct is that the Minister hearing the representation dated 19.7.1993 must also pass final order if in law he can pass such order. In the instant case, as earlier matter was disposed of by the Hon'ble Chief Minister, the Chief Minister is directed to hear and dispose of the application dated 19.7.1995 as early as possible.

. Considering the above, petition made partly absolute in terms of Prayer Clause (a). Matter stands disposed of in terms of what is set out in the earlier part of this order.

(F.I.REBELLO,J.)

(S.P.KUKDAY,J.)